

GOVERNOR'S REGULATORY REVIEW COUNCIL

This section of the *Register* contains information submitted for publication by the Governor's Regulatory Review Council, including the tentative agendas for the monthly Council meetings and summaries of action taken by the Council at the monthly meetings.

GOVERNOR'S REGULATORY REVIEW COUNCIL

NOTICE OF PUBLIC MEETING AND AGENDA FOR MARCH 2, 2004

Under A.R.S. § 38-431.02, notice is given to members of the Governor's Regulatory Review Council and the general public that the Governor's Regulatory Review Council will hold a regular meeting, open to the public, on **Tuesday, March 2, 2004**. This meeting will be at **9:00 a.m.** in the boardroom of the **Arizona Peace Officer Standards and Training Board, 2643 East University, Phoenix, Arizona**. For additional information, call the Governor's Regulatory Review Council office at (602) 542-2058. Under A.R.S. § 38-431.03(A)(3), the Governor's Regulatory Review Council may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on any item on the agenda.

A. 9:00 A.M. – CALL TO ORDER

B. APPROVAL OF MINUTES OF FEBRUARY 3, 2004 MEETING

C. CONFLICTS OF INTEREST

D. CONSIDERATION OF FIVE-YEAR REVIEW REPORTS:

1. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (F-04-0202)

Title 9, Chapter 28, Article 4, Eligibility and Enrollment

2. DEPARTMENT OF AGRICULTURE (F-04-0302)

Title 3, Chapter 4, Article 7, Fruit and Vegetable Standardization; and Article 8, Citrus Fruit Standardization

E. CONSIDERATION OF RULES:

1. BOARD OF PHARMACY (AR-04-0303)

Title 4, Chapter 23, Article 1, Administration

Repeal: R4-23-103 through R4-23-109

Amend: R4-23-101

New Section: R4-23-111 through R4-23-129

2. BOARD OF PHARMACY (AR-04-0304)

Title 4, Chapter 23, Article 1, Administration; Article 2, Pharmacist Licensure; Article 4, Professional Practices; Article 6, Permits and Distribution of Drugs; and Article 11, Pharmacy Technicians

Repeal: R4-23-403

Amend: R4-23-110, R4-23-205, R4-23-402, R4-23-407, R4-23-653, R4-23-654,
R4-23-657 through R4-23-659, R4-23-673, and R4-23-674
New Article: Article 11
New Section: R4-23-1101 through R4-23-1105

- 3. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (AR-04-0305)**
Title 9, Chapter 22, Article 1, Definitions; and Article 10, First- and Third-Party Liability and Recoveries

Repeal: R9-22-110, R9-22-1001, and R-22-1002
New Section: R9-22-1001 through R9-22-1009

- 4. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (AR-04-0306)**
Title 9, Chapter 28, Article 1, Definitions; Article 9, First- and Third-Party Liability and Recoveries

Repeal: R9-28-109, R9-28-901, and R-28-906
New Section: R9-28-901 through R9-28-912

- 5. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (AR-04-0307)**
Title 9, Chapter 31, Article 1, Definitions; Article 10, First- and Third-Party Liability and Recoveries

Repeal: R9-31-110, R9-31-1001, and R9-31-1002
New Section: R9-31-1001 through R9-31-1009

- 6. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (AR-04-0308)**
Title 9, Chapter 28, Article 1, Definitions; and Article 3, Preadmission Screening (PAS)

Amend: R9-28-101, R9-28-103, and R9-28-306

- 7. GAME AND FISH COMMISSION (AR-04-0309)**
Title 12, Chapter 4, Article 1, Definitions and General Provisions

Amend: R12-4-102

- 8. BOARD FOR CHARTER SCHOOLS (AR-04-0310)**
Title 7, Chapter 5, Article 1, General Provisions (New Article); Article 2, New Charters (New Article); and Article 4, Amendment to a Charter (New Article)

New Article: Article 1, Article 2, and Article 4
New Section: R7-5-101, R7-5-201 through R7-5-204, and R7-5-401

- 9. DEPARTMENT OF HEALTH SERVICES (AR-04-0311)**
Title 9, Chapter 3, Article 1, General (New Article); Article 2, Certification (New Article); Article 3, Administration (New Article); Article 4, Program and Equipment Standards (New Article); and Article 5, Physical Environment Standards (New Article)

New Chapter: Chapter 3
New Article: Article 1, Article 2, Article 3, Article 4, and Article 5
New Section: R9-3-101 through R9-3-103, R9-3-201 through R9-3-206, R9-3-301 through R9-3-315, R9-3-401 through R9-3-413, and R9-3-501 through R9-3-508
New Table: Table 1, Table 2, Table 3, and Table 4

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10. DEPARTMENT OF HEALTH SERVICES (AR-04-0312)

Title 9, Chapter 5, Article 1, General; Article 7, Child Care Group Home Certification; Article 8, Child Care Group Home and Administration; Article 9, Program and Equipment for Child Care Homes; and Article 10, Activity Areas and Physical Facility Standards for Child Care Group Homes

Repeal: Article 7, R9-5-701, R9-5-702, Table 2, R9-5-703 through R9-5-708, Article 8, R9-5-801 through R9-5-809, Article 9, R9-5-901 through R9-5-912, and Article 10, R9-5-1001 through R9-5-1006

Amend: R9-5-101 and R9-5-102

F. REPORT ON PROGRESS TOWARDS COMPLETING THE PLANS OF ACTION IN AGENCY'S FIVE-YEAR-REVIEW REPORT

1. DEPARTMENT OF PUBLIC SAFETY (F-03-1204)

Title 13, Chapter 1, Article 1, General Provisions

G. CONSIDERATION OF APPEAL OF AGENCY'S FINAL DECISION REGARDING A PETITION FOR ADOPTION OR REVIEW OF RULE, PRACTICE, OR POLICY (A.R.S. § 41-1033)

APPELLANT: Gordon M. Robineau

APPELLEE: Arizona State Board of Tax Appeals

H. ADJOURNMENT

PLEASE NOTE:

- THIS AGENDA IS SUBJECT TO CHANGE UP TO 24 HOURS BEFORE THE MEETING.
- PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION, SUCH AS A SIGN LANGUAGE INTERPRETER, BY CONTACTING (602) 542-2058. REQUESTS SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE ACCOMMODATION.
- A COPY OF THE AGENDA AND BACKGROUND MATERIAL PROVIDED TO COUNCIL MEMBERS (WITH THE EXCEPTION OF MATERIAL RELATING TO POSSIBLE EXECUTIVE SESSIONS) IS AVAILABLE FOR PUBLIC INSPECTION AT THE COUNCIL'S OFFICE, 100 N. 15TH AVENUE, SUITE 402, PHOENIX, AZ 85007.

FIVE-YEAR REVIEW REPORT SCHEDULE: 2004 THROUGH 2005

Date Due	Agency	Title	Chapter (Article)	Subject
Jan-04	Land Department	12	5 (22, 24, 25)	Geothermal; Nav. Stream Trust Lands; Trust Lands
Feb-04	Health Services, Department of	9	10 (5)	Adult Day Care
Feb-04	Industrial Commission	20	5 (1, 2)	Procedure for Work. Comp.; Self-insurance
Feb-04	Plumbing, Uniform Code Commission	4	48	Uniform Plumbing Code
Feb-04	Real Estate, Department	4	28	License; Education; Advertising
Feb-04	Transportation, Department of	17	1	Administration
Feb-04	Transportation, Department of	17	2	Grand Canyon National Park Airport
Mar-04	Agriculture, Department of	3	4 (7, 8)	Fruits/Vegetables; Citrus
Mar-04	Technical Registration, State Board of	4	30	Procedure; Registration; Regulation
Apr-04	Economic Security, Department of	6	13 (2, 3, 6, 7, 9, 12)	State Assistance Programs
Apr-04	Governor's Regulatory Review Council	1	6	Procedure; Appeals
Apr-04	Medical Radiologic Technology Board	12	2	Certification; Schools
Apr-04	Psychologist Examiners, Board of	4	26	Licensing; Regulation
Apr-04	Tax Defer Annuity and Comp. Plans, Gov. Comm.	2	9	Expenses; Employee Contact
May-04	Barbers, Arizona Board of	4	5	Licensing; School, Shop, Barber
May-04	Insurance, Department of	20	6 (11)	Medicare Supplement Insurance
May-04	Radiation Regulatory Agency	12	1 (4)	Protection Against Radiation
Jun-04	Banking Department	20	4 (9)	Mortgage Brokers
Jun-04	Banking Department	20	4 (18, 19)	Mortgage Bankers; Commercial Mortgage Bankers
Jun-04	Cotton Research and Protection Council	3	9 (3)	Cotton Research and Protection Council
Jun-04	Economic Security, Department of	6	2	Employment and Training
Jun-04	Economic Security, Department of	6	5 (52, 56)	Family Child Care; Confidentiality and Release of CPS Records
Jun-04	Health Services, Department of	9	1	Procedure; Disclosure; Codes Referenced
Jun-04	Parks Board, Arizona State	12	8	Park Use; Board Proc.; Historic Property
Jun-04	Revenue, Department of	15	2	Income and Withholding Tax
Jun-04	Veterinary Medical Examining Board	3	11	License; Exam; Temporary Permittees
Jul-04	Agriculture, Department of	3	4 (6)	Native Plants
Jul-04	Health Services, Department of	9	10 (11, 14, 15)	Home Health Agencies; Recovery Centers; Abortion Clinics
Jul-04	Land Department	12	5 (20- 21)	Minerals; Oil and Gas
Jul-04	Nursing Care Adm. and Adult Care Home Man.	4	33 (4)	Adult Care Home Manager Certification

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Jul-04	Physical Therapy Examiners, Board	4	24	Licensing; Regulation; CE; Public Participation
Jul-04	Power Authority, Arizona	12	14	Power Availability; Service; Records
Aug-04	Health Services, Department of	9	4	Pesticide Ills; Lead; Cancer; Birth Defects
Aug-04	Health Services, Department of	9	6	Communicable Disease: Reporting; Control
Aug-04	Health Services, Department of	9	19	Vital Records and Statistics: Births/Deaths
Sep-04	AHCCCS	9	22 (12); 28 (11)	Behavioral Health Services
Sep-04	AHCCCS	9	22 (9)	Quality Control
Sep-04	Banking Department	20	4 (6-8, 10, 11)	Debt Management Co.; Escrow Agents
Sep-04	Transportation, Department of	17	3	Highways Division
Oct-04	Administration, Department of	17	9	School bus minimum standards
Oct-04	Economic Security, Department of	6	14	Food Stamps
Oct-04	Health Services, Department of	9	24	Medically Underserved Area Benefits
Nov-04	Health Services, Department of	9	10 (1)	General
Nov-04	Osteopathic Examiners in Med and Surgery, Bd	4	22	Specialists; Exam; License; Procedure
Nov-04	Physician's Assistants, Joint Board	4	17	Certification; Practice Scope; Regulation
Nov-04	Public Safety, Department of	13	2	Private Investigators
Nov-04	Transportation, Department of	17	4 (5)	Motor Vehicle Division: Safety
Dec-04	Agriculture, Department of	3	6	Office of Commodity Development and Promotion
Dec-04	Environmental Quality, Department of	18	8	Waste Management
Dec-04	Health Services, Department of	9	16 (2)	Audiologists/ Speech Language Pathologists
Dec-04	Radiation Regulatory Agency	12	1 (2)	Registration, Machines and Services
Dec-04	Revenue, Department of	15	12	Property Tax Limit Oversight Commission
Dec-04	Revenue, Department of	15	10	Procedure; Transmission of Funds
Dec-04	Environmental Quality, Department of	18	13	Solid Waste Management
Jan-05	Health Services, Department of	9	20	Behavioral Health Agencies: Licensure
Jan-05	Health Services, Department of	9	21	Serious Mental Illness
Jan-05	Industrial Commission	20	5 (5, 8, 10)	Elevator Safety; OSH Procedures; Wage Claims
Jan-05	Public Safety, Department of	13	9	Concealed Weapon Permits
Jan-05	Transportation, Department of	17	5 (5-7)	Financial Responsibility; Interlock Devices; 3-party Program
Feb-05	Administration, Department of	2	1 (4, 8)	911; Reimbursement for Transportation
Feb-05	Land Department Board of Appeals	12	5 (23)	Procedure
Feb-05	Medical Board, Arizona	4	16 (3)	Medical Assistants
Feb-05	Nursing, State Bd. of	4	19 (1, 3, 8)	Definitions; Licensure; Cert. Nursing Asst.
Feb-05	School Facilities Board	7	6	School Facilities Board
Mar-05	Agriculture, Department of	3	1	Administration

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Mar-05	Economic Security, Department of	6	6	Developmental Disabilities
Mar-05	Radiation Regulatory Agency	12	1 (17)	Safety, Wireline Operations
Apr-05	Environmental Quality, Department of	18	11	Water Quality Boundaries and Standards
May-05	Law Enforcement Merit System Council	13	5	Investigation; Hearings; Classification
May-05	OHS Review Board	20	7	Procedures
May-05	Podiatry Examiners, Board of	4	25	Exams; Licenses; Rehearing; Education
May-05	Public Safety, Department of	13	3	Tow Trucks
May-05	Retirement System Board, State	2	8	Social Security; Retirement System
Jun-05	Citizens Clean Elections Comm.	2	20	General Provisions
Jun-05	Insurance, Department of	20	6 (4-6, 19)	Company Types; Contracts; Health Care Services Orgs.
Jun-05	Radiation Regulatory Agency	12	1 (9)	Safety, Particle Accelerators
Jun-05	Revenue, Department of	15	7	Bingo: Licensing; Tax; Suspension
Jun-05	Acupuncture, Bd. Of Examiners	4	8	Gen. Provisions; Licensing; Training; CE; Regulation
Jul-05	Environmental Quality, Department of	18	12	Underground Tanks
Jul-05	Health Services, Department of	9	10 (9)	Nursing Care Institutions
Jul-05	Pharmacy, Arizona State Board of	4	23 (7, 9, 10)	Non-pharm Outlets; Penalties; Controlled Subs.
Aug-05	AHCCCS	9	27	Private Employer Groups
Aug-05	Chiropractic Examiners, Board of	4	7	Hearings; Exams; Licenses; Education
Aug-05	Health Services, Department of	9	10 (17)	Outpatient Surgical Centers
Aug-05	Medical Board, Arizona	4	16 (2)	Dispensing Drugs
Aug-05	Radiation Regulatory Agency	12	1 (6, 12, 14)	Accelerators; General Provisions; Nonionizing Radiation
Sep-05	Administration, Department of	2	15 (2)	General Services--Fleet Management
Sep-05	Administration, Department of	2	15 (3)	General Services--Materials Management
Sep-05	Health Services, Department of	9	11	General-Health Care Charges; Reporting
Sep-05	Liquor Board, State	19	1 (1)	Board's Regs
Sep-05	Liquor Licenses and Control, Dept. of	19	1 (2-3)	Unlicensed Premises; Hearings; Director
Sep-05	Racing Commission, Arizona	19	2 (1, 3-5)	Horse and Greyhound Racing; Teletracking; Pari-mutuel
Oct-05	Administration, Department of	2	7	Finance Division, Purchasing Office
Oct-05	Commerce, Department of	20	1	Work force recruitment and job training; Tech Training; Alt. Fuels
Oct-05	Cosmetology, Board of	4	10	Cosmetology Schools, Salons
Oct-05	Health Services, Department of	9	18	Local Health Department Services
Nov-05	Banking Department	20	4 (12, 14-17)	Procedure; Inv.; Col. Agencies; Acquisition
Nov-05	Building and Fire Safety, Department of	4	36	State Fire Safety Committee
Nov-05	Health Services, Department of	9	14 (6)	Environmental Laboratories
Nov-05	Public Safety, Department of	13	6	Security Guards
Nov-05	Revenue, Department of	15	5 (1, 4)	Retail Classification; Amusement Classification

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Dec-05	Agriculture Employment Rel. Bd.	4	2	General; Elections; Unfair Labor Prac.; Hearings
Dec-05	Environmental Quality, Department of	18	14	Fees
Dec-05	Environmental Quality, Department of	18	9 (1, 2, 3, 7)	APP, Reclaimed Water
Dec-05	Environmental Quality, Department of	18	9 (4)	Agricultural Permits

Revised (Supp. 04-1)